

ATHLETE AGENTS ADVISORY COMMITTEE
Suite 100, Schlitz Office Park, 101 West Pleasant St, Milwaukee
MINUTES
AUGUST 4, 2004

PRESENT: Samuel Recht Atty., Martin Greenberg Atty., Jason Wied Atty.,
David Melnick Atty., Robb Arent Atty., Tim Valentyn, Atty, and
Garin Veris.

EXCUSED: Lisa Stone

STAFF PRESENT: Jerry Lowrie, Bureau Director, William Black, Legal Counsel,
Secretary Donsia Strong Hill, Jan Bobholz, Credentialing
Supervisor, and Pat Schenck, Program Assistant

CALL TO ORDER – ROLL CALL

Donsia Strong Hill, Secretary, called the meeting to order at 10:05 a.m. A quorum of seven members was present.

APPROVAL OF AGENDA

MOTION: Martin Greenberg moved, seconded by Jason Wied, to approve the agenda as written. Motion carried unanimously.

REVIEW OF COMMITTEE ROSTER

Change of address for Robb Arent, Wisconsin Sports Management, 510 W. Kilbourn Suite B, Milwaukee WI 53203, Contact number (414) 331-3175.

ADMINISTRATIVE REPORT
WELCOMING REMARKS BY SECRETARY DONSIA STRONG HILL

Secretary Donsia Strong Hill welcomed and thanked the Committee members for participating on the Advisory Committee. Secretary Strong Hill reported on the 2003 Wisconsin Act 150 regulating athlete agents and gave a brief background on her profession and experience. Introductions went around the table with each staff person and Committee member giving a brief background on their profession and experience.

REVIEW OF 2003 WISCONSIN ACT 150

Mr. Black reported on Federal regulation that mirrors state regulation presently in congress. This regulation protects students, but doesn't remove the liability of the student. Wisconsin is the only state that does not have student liability written into its rules.

The administrative rules may be completed by October 1, 2004. The Committee will meet again on September 13, 2004 and have another meeting by telephone if needed prior to October 1, 2004.

The statutes are very detailed. The provisions that the legislature put into the bill indicate that some administrative rules will be required for fees, unprofessional conduct, and other parameters regarding credentialing.

The Committee discussed creating one place where an agent or student can retrieve a set of rules that will tell a student or agent everything they need to know that applies to them. Mr. Black discussed the statutes that he moved into the administrative rules for students so they can look in one location to get all the information that they need.

Mr. Black requested input from the Committee members regarding the rules. The Committee discussed the following issues:

- “Educational institution” is mentioned throughout the statutes; but is not defined in the statutes.
- Does an “educational institution” include high school and affect students in high school athletics?
- Look at other jurisdictions rules. Other jurisdictions include high school athletes. Uniform Act does not include high school. High school football is as important as intercollegiate games.
- Do we want to protect high schools? The intent of the model code is to protect universities.
- Define educational institution to include high school, junior high, trade school, and technical schools students.
- Letter of intent signed by student.
- Notify high school that they have a professional athlete on their team.
- Clarify whether or not high school and middle school students are protected.
- The definition of “intercollegiate athletics” needs input from the Committee.
- How will an agent know that a student is intending to attend a specific school?
- The athlete needs protection.
- The Act exempts scouts of professional teams.

PROPOSED EMERGENCY RULES

Mr. Black reviewed and discussed Chapters RL 150-154 administrative rules relating to the registration and regulation of athlete agents with the Committee.

- RL 150.02 - Definitions: Adding “intent” and “educational institutions”.
- RL 151.02 - Application contents.
- RL 151.03 - Initial Credential Fee: The fee is appropriate.
- Two hundred athletic agents may apply for a credential.
- RL 151.04 - Waiver of application requirements.
- Applications from other jurisdictions with substantially equivalency.

- Qualifications of athlete agent.
- Who is out there working for them on their payroll? (i.e. runners, cappers)
- Include questions on application in order to make a judgment on moral fitness of athlete agent and to use for further investigations.
- Proof of education and qualifications to define and determine new athlete agent's qualifications without any previous experience.
- Do Attorneys acting as athlete agents need to be registered as an athlete agent? Where do they fit under this rule?
- Change wording to student athlete agent instead of athlete agent to eliminate the professionals.
- RL 151.05 - Temporary registration: Applicant must meet all requirements. Duration of temporary to be determined after a decision is made on the permanent certificate.
- Non-renewable temporary.
- RL 151.06 – Denial of issuance of certificate of registration.
- Add duty to report any disciplinary action or pending action on the application. Significant adverse effect on the applicant's fitness to act as an athletic agent could be meant to mean something else other than discipline.
- RL 152.01 - Registration renewal – Ask the same questions that are on the initial registration application.
- RL 152.02 – Registration renewal fee. The renewal fee has not been set and will be pro-rated.
- RL 153 - Set clear standards of practice and RL 154 unprofessional conduct so students can look at every standard required by the statute.
- RL 153.02 - Request the athlete agent to inform the student that they are required to provide notice to the educational institution as the Statute does not indicate that the student must provide notice to the educational institution.
- RL 153.09 - Prohibited conduct was questioned; rule sets student athlete up to fail and does not really protect the student. People making contact with students are not generally the athlete agent.
- 153.04 - Revise rules. What to use as a definition. What can an agent look at to insure that a student is attending a certain school? National letter of intent is the only binding commitment. Reasonable grounds of student's intention to enroll (statute reads).
- College hockey players are drafted into a professional sports organization. These rules may be an issue regarding hockey players. The Committee discussed other exempted classes of sports.
- Only student athletes need a registered agent.

The Committee members will E-mail Mr. Lowrie portions of contracts that indicate if athletic agents have other people working for them.

Jason Wied will E-mail Mr. Black language used when signing a student to a contract. Certification with professional sports organization is not required when they sign a student to a contract.

Frequently asked questions will be available on the Department's website to cover areas that are not included in the administrative rules.

Mr. Black requested that Committee members E-Mail him any additional comments on the rules.

OTHER COMMITTEE BUSINESS-SCHEDULING FOR FUTURE COMMITTEE MEETINGS

The Committee will discuss defining “educational institutions” at the next Committee meeting.

Jason Wied. Green Bay Packers will host the next Athletic Agents Advisory Committee meeting at Lambeau Field in Green Bay on Monday, September 13, 2004 at 10:00 am.

INFORMATIONAL ITEMS

None.

ADJOURNMENT

MOTION: Tim Valentyn moved, seconded by Jason Weid, adjourn the meeting at 1:05 pm. Motion carried unanimously.